

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL MARIN, #267821,

Petitioner,

v.

CASE NO. 2:14-CV-11436
HONORABLE GERALD E. ROSEN

LLOYD RAPELJE,

Respondent.

**ORDER DENYING PETITIONER'S MOTION FOR A
CERTIFICATE OF APPEALABILITY AND DENYING HIS
APPLICATION TO PROCEED IN FORMA PAUPERIS ON APPEAL**

This matter is before the court on Petitioner's motion for a certificate of appealability and his application to proceed *in forma pauperis* on appeal regarding the denial of his petition for a writ of habeas corpus. The court, however, denied a certificate of appealability and denied leave to proceed *in forma pauperis* on appeal in its opinion and order denying the petition. The court finds no reason to reconsider that decision. A motion for reconsideration which presents issues already ruled upon by the court, either expressly or by reasonable implication, will not be granted. *Hence v. Smith*, 49 F. Supp. 2d 547, 550 (E.D. Mich. 1999); *Czajkowski v. Tindall & Assoc., P.C.*, 967 F. Supp. 951, 952 (E.D. Mich. 1997). Petitioner has not met his

burden of showing a palpable defect by which the court has been misled or his burden of showing that a different disposition must result from a correction thereof, as required by Local Rule 7.1(h)(3). Accordingly, the court **DENIES** Petitioner's motion and application.

IT IS SO ORDERED.

s/Gerald E. Rosen
United States District Judge

Dated: October 28, 2016

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on October 28, 2016, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5135